THE HON'BLE SRI JUSTICE D.S.R.VARMA
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

TAKEN UP WRIT PETITION NO.4416 OF 2007
DATE: 13.3.2007

Between:

C. Thangaraj, S/o K.C. Chinnakannan

…Petitioner

AND

1.The Station House Officer, Tirupathi Police Station, Tirupathi, Chittoor District and four others

….Respondents

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THE HON'BLE SRI JUSTICE D.S.R.VARMA

AND

THE HON'BLE SRI JUSTICE D.APPA RAO

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TAKEN UP WRIT PETITION NO.4416 OF 2007

ORAL ORDER: **(per the Hon'ble Sri Justice D.S.R.VARMA)**

Heard the learned Government Pleader for Home, appearing for the respondents.

2. This writ petition is taken up on the strength of a 'Telegram', dated 27.2.2007 by one C.Thangaraj, S/o. K.C. Chinnakannan, to the Hon'ble The Chief Justice, High Court of Andhra Pradesh, Hyderabad, alleging that he and his father are being harassed by the police, Central Crime Station, Tirupathi, to know about the whereabouts of his brother by name C.Manikyam and threatened the petitioner and his father with dire consequences.

3. After receiving notices, issued by this Court, the Sub-Inspector of Police, M.R.Pally Police Station, Chittoor District, filed a counter-affidavit stating, *inter alia*, that on the intervening night of 16/17.08.2002 at 01.30 A.M., at Vykuntapuram, Tirupathi, when one P.Jayachandra Reddy, S/o. Rami Reddy and one C.Manikyam, S/o. Kannaiah, who is no other than the brother of the petitioner, were found lurking and taking precautions to commit cognizable offences, on suspicion, they were arrested under a cover of police proceedings and registered cases in Crime Nos.133 and 134 of 2002 under Section 41 (1) of the Code of Criminal Procedure by the police, M.R.Pally Police Station.

4. Be that as it may, basing on the complaint made by one Mr.Acharya, SGD Chandra Sekhar, S/o. S.Moses, R/o. Padmavathinagar, Tirupathi, stating that some unknown offenders have entered into his house by removing the window frame of the drawing room, opened the almirah and stolen certain ornaments, a case in Crime No.518 of 2006 for the offences punishable under Sections 457 and 380 of the Indian Penal Code was registered on 14.12.2006 and that during the investigation, the finger prints obtained earlier were found matching with the present finger prints and they belong to the alleged missing person by name C.Manikyam, S/o. Kannaiah, who is no other than the brother of the petitioner. It is further stated that investigation is still going on and only in order to preempt the further proceedings and investigation process, the

present telegram has been issued.

5. In view of the said fact, we do not find any ground to continue the writ petition, the same fails and is liable to be dismissed.

6. Accordingly, the writ petition is closed, at the stage of admission. However, there shall be no order as to costs.

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D.S.R.VARMA, J

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D. APPA RAO, J

13TH MARCH 2007

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